

Case 1:19-cv-02522-ILG-ST

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★ SEP 24 2019 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BRIAN FISCHLER, individually and as the  
representative of a class of similarly situated  
persons,

Plaintiff,

v.

WINC, INC.,

Defendant.

Case No. 1:19-cv-02522-ILG-ST

**STIPULATION OF DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED by and between the parties and their  
respective counsel, that the above-entitled action against Defendant, shall be and hereby is  
dismissed with prejudice and without costs, or disbursements, or attorneys' fees to any party,  
pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

Dated: September 20, 2019

For the Plaintiff:

By: 

Douglas B. Lipsky, Esq.  
Lipsky Lowe LLP  
420 Lexington Avenue, Suite 1830  
New York, New York 10170-1830

For the Defendant:

By: 

Sean J. Kirby, Esq.  
Sheppard Mullin Richter & Hampton LLP  
30 Rockefeller Plaza, 39<sup>th</sup> Floor  
New York, NY 10112

SO ORDERED:

s/l. Leo Glasser, USDJ

U.S.D.J.

9/23/19